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10  
11 Attorneys for NATIONAL SURETY  
12 CORPORATION

13  
14 IN THE UNITED STATES DISTRICT COURT  
15 FOR THE NORTHERN DISTRICT OF CALIFORNIA

16  
17 KUNDE ENTERPRISES, INC.; VINTAGE  
18 WINE ESTATES, INC.,

19 Plaintiff,  
20  
21 v.

22 NATIONAL SURETY CORPORATION; CERTAIN UNDERWRITERS AT LLOYD'S  
23 LONDON; RSA INSURANCE GROUP; LIBERTY SPECIALTY MARKETS  
24 INSURANCE GROUP; NAVIGATORS UNDERWRITING AGENCY LIMITED;  
25 BRIT GLOBAL SPECIALTY; TRAVELERS MARINE CARGO,

26 Defendants.

27 Case No. 3:19-cv-06636-SK

28 [PROPOSED] ORDER ON DEFENDANT  
NATIONAL SURETY CORPORATION'S  
MOTION TO DISMISS OR SEVER FOR  
MISJOINDER PURSUANT TO FEDERAL  
RULES OF CIVIL PROCEDURE RULES 20  
AND 21.

29  
30 Defendant National Surety Corporation's motion to dismiss or sever Plaintiff Vintage Wine  
31 Estates, Inc. and Defendants Certain Underwriters at Lloyd's London; RSA Insurance Group;  
32 Liberty Specialty Markets Insurance Group; Navigators Underwriting Agency Limited; Brit Global  
33 Specialty; Travelers Marine Cargo filed under Federal Rules of Civil Procedure , Rules 20 and 21  
34 for misjoinder came on for hearing in this Court on November 25, 2019, at 9:30 a.m., in Courtroom  
35 C before the Honorable Magistrate Sallie Kim, United States Magistrate Judge. Counsel for  
36 Defendant National Surety Corporation, Counsel for Defendants Certain Underwriters at Lloyd's  
37 London; RSA Insurance Group; Liberty Specialty Markets Insurance Group; Navigators

1 Underwriting Agency Limited; Brit Global Specialty; and Travelers Marine Cargo and Plaintiff  
2 Vintage Wine Estates, Inc. appeared at the hearing. Having considered the National Surety's  
3 motion and Vintage Wine Estates, Inc.'s opposition, the other pleadings and documents on file in  
4 this case, and the arguments of the parties, the Court finds that Plaintiff Vintage Wine Estate, Inc.  
5 has misjoined its claims and damages with the claims and damages asserted by Plaintiff Kunde  
6 Enterprises, Inc. Accordingly, the Court hereby GRANTS National Surety's motion, and  
7 [dismisses without prejudice] [severs] Defendants' Certain Underwriters at Lloyd's London; RSA  
8 Insurance Group; Liberty Specialty Markets Insurance Group; Navigators Underwriting Agency  
9 Limited; Brit Global Specialty; and Travelers Marine Cargo and Plaintiff Vintage Wine Estates,  
10 Inc. from this action.

11 IT IS SO ORDERED.

12 Dated:

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13 Magistrate Judge Sallie Kim

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